

Remarks

Claims 1-55 were originally filed in this application. Claims 1-24 and 33-55 are withdrawn from consideration without prejudice or disclaimer as being directed to non-elected inventions.

Independent claim 25 is currently amended to correct a typographical error.

No claims are canceled. No new claims are added.

Claims 25-32 remain pending for examination, with claim 25 being the only independent claim.

No new matter is added.

Rejections under 35 U.S.C. § 102

Claims 25-32 are rejected under 35 U.S.C. § 102(b) as being anticipated by the disclosure of Gadini in International Application Publication No. WO 01/30229 (hereinafter "Gadini").

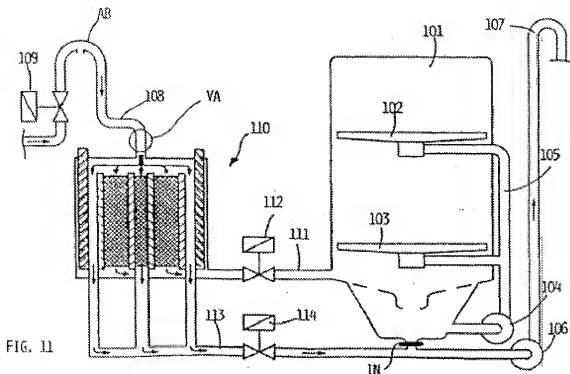
Applicants disagree that the disclosure of Gadini anticipates the subject matter of independent claim 25 because the reference fails to disclose, *inter alia*, a system comprising an electrochemical device comprising a depleting compartment and a concentrating compartment fluidly connected to a point of entry, and a positively-charged flow regulator fluidly connected downstream of the concentrating compartment.

Gadini discloses a household appliance using water with a supply system, a softening system for at least a portion of the supplied water, and a control system. The appliance also uses permanent water softening means which are controlled by the control system and do not require periodic intervention by the user. (Gadini at Abstract.)

It is alleged that Gadini discloses "an electrochemical device, such as a electrodeionization, a positively charged flow regulator, including a valve or pressure switch which is believed to be a plate having a flow orifice, which would discharge at predetermined times a volumes [sic] to a household appliance."¹ Instead, at page 25, lines 20-23 and with reference to FIG. 11 (reproduced below), Gadini explains that the metering of the softened water can be performed by utilizing valves 109, VA, 112, and

¹ Applicants assume the citation to Gadini to be page 25, lines 20-26, rather than "pages 20-26, line 25."

114 through the use of a standard pressure-switch or turbine flowmeter or by means of metering tanks or dosing containers. At lines 10 *et seq.* of page 25, Gadini explains that during use of the decalcifier 110, the ion concentration, *e.g.*, calcium and magnesium ions, in the concentration channel CC increases, as well as in the electrode channels CE1 and CE2. When valve 114 is open and the intercepting device IN is closed, the water from channels CE1, CE2, and CC flow through duct 113 and discharges through duct 107. (Gadini at page 25, lines 15-17.)



Gadini, however, fails to disclose a positively-charged flow regulator fluidly connected downstream of a concentrating compartment of an electrochemical device. In a non-limiting embodiment discussed in Example 1 of the present specification, the system exemplarily presented at FIG. 3 (reproduced below) was operated with positively-charged flow regulators 32j and 32l. As noted at page 17, lines 30 *et seq.* of the present specification, the flow regulator can have an applied electrical charge, such as one sufficient to generate positively-charged ionic species that can, in some cases, lower the pH of fluid surrounding the flow regulator which in turn can reduce the likelihood of undesirable scale formation thereon. Gadini fails to recognize or disclose any such features or advantages.

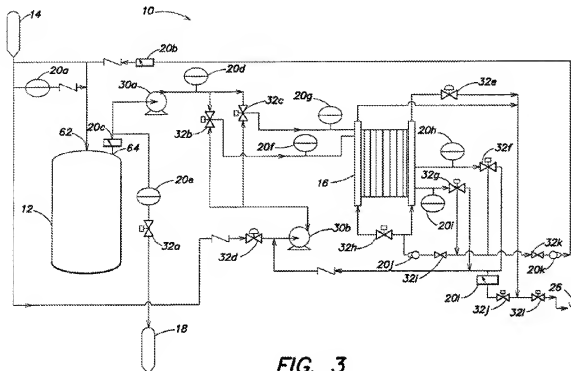


FIG. 3

Thus, the subject matter of independent claim 25 cannot be anticipated by the disclosure of Gadini because it fails disclose each and every limitation in the manner recited therein.

Dependent claims 26-32 depend directly or indirectly from independent claim 25. The respective subject matter of each of these claims also cannot be anticipated by the disclosure of Gadini for at least the same reasons mentioned above.

Accordingly, Applicants request reconsideration and withdrawal of the rejection of claims 25-32 under 35 U.S.C. § 102.

Conclusion

In view of the foregoing Amendments and Remarks, this application is in condition for allowance; a notice to this effect is respectfully requested. If the examiner believes, that the application is not in condition for allowance, the examiner is requested to call Applicants' attorney at the telephone number listed below.

If this Response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this Response, including an extension fee that is not covered

by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762 (ref. no. 10168-707919).

Respectfully submitted,

Frederick Wilkins *et al.*, *Applicants*

By: /elias domingo/

Peter C. Lando, Reg. No. 34,654

Elias Domingo, Reg. No. 52,827

LOWRIE, LANDO & ANASTASI, LLP

Riverfront Office Park

One Main Street

Cambridge, Massachusetts 02142

Tel. (617) 395-7000

Siemens Ref. No: 2003P86277US

USFilter Ref. No.: USF/ION/125US

LLA Ref. No.: 10168-7079.19

Date: January 29, 2008